

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Official

In re the Application of

Inventors: Toyoki UE et al.

Prior Art Unit 2684

Serial No.: Continuation of  
Appln. Serial No.  
09/648,756

Prior Examiner A. Gantt

Filed: January 29, 2002

For: RADIO COMMUNICATION DEVICE AND METHOD OF  
CONTROLLING TRANSMISSION RATEINFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56Assistant Commissioner of Patents  
Washington, D. C. 20231

Sir:

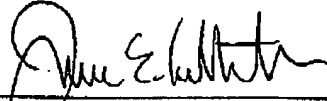
Pursuant to 37 C.F.R. §1.56, applicants hereby call to the attention of the Patent and Trademark Office the references listed on the attached List of References. All of these references are of record in the parent application; copies need not be submitted (see 37 CFR §1.98(d)). This list of references is being provided to ensure listing of these references on a patent to issue in this application in accordance with the following paragraph of MPEP 609:

"A citation on form PTO-1449 and considered by the Examiner...will be printed on the patent."

Applicants present these references so that the Patent and Trademark Office may, in the first instance, determine any relevancy thereof to the presently claimed invention; see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir., 1970). Also see Patent Office Rules 104 and 106.

Applicants respectfully request that these references be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



Date: January 29, 2002

James E. Ledbetter

Registration No. 28,732

JEL/ejw

ATTORNEY DOCKET NO. JEL 31056I

STEVENS, DAVIS, MILLER & MOSHER, L.L.P.  
1615 L Street, NW, Suite 850  
P.O. Box 34387  
Washington, DC 20043-4387  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200